

MINUTES of the Vernal City PLANNING COMMISSION

Vernal City Council Chambers - 374 East Main Street, Vernal, Utah

April 11, 2023

7:00 pm

Members Present: Brandon Parker, Stephen Lytle and Randall Mills and Brian Eades

Members Excused: Troy Allred

Alternates Present: Ryan Pugh

Alternates Excused: [Click here to enter text.](#)

Staff Present: Gabby Hawkes Blackburn, Assistant City Manager; Matthew Tate, Building Official; and Roxanne Behunin, City Recorder.

WELCOME AND DESIGNATION OF CHAIR AND MEMBERS: Chair Brandon Parker welcomed everyone present to the meeting.

APPROVAL OF MINUTES FROM March 28, 2023: Brandon Parker asked if there were any changes to the minutes from March 28, 2023. There being no corrections, *Ryan Pugh moved to approve the minutes of March 28, 2023 as presented. Stephen Lytle seconded the motion. The motion passed with Parker, Lytle, Mills and Pugh voting in favor. Brian Eades was not present for the vote.*

PUBLIC HEARING: RECOMMENDATION TO CONSIDER A REZONE REQUEST FROM VACATION RENTAL PROPERTIES LLC, RANDY MCBRIDE, FOR PROPERTY LOCATED AT 225 EAST 500 NORTH, VERNAL, UTAH TO REZONE THE PROPERTY FROM R-4 RESIDENTIAL ZONE TO MH MOBILE HOME PARK ZONE – 2023-004-REZ: Chair Brandon Parker explained he had a conflict with this issue and recused himself. Gabby Blackburn presented this rezone request explaining that this mobile home park had been rezoned to a higher density residential zone in the past. The property owner wants to go back to the mobile home zone so they can go back to the original site plan and add to it. A zoning map of the area was displayed along with a summary of what can be done in this zone. This park has been functioning as a mobile home park for a long time and is considered a legal non-conforming use. Chair Brandon Parker opened the public hearing. Gabby Blackburn reported that the City received one letter stating this was mobile home park was in disrepair. Member Ryan Pugh asked why this was changed before. Chair Brandon Parker answered the condos that are next door were going to expand. That did not happen, and the property was sold. Brian Eades clarified that they cannot bring additional mobile homes with the current zone. Gabby Blackburn agreed. There being no further public comments, Chair Brandon Parker closed the public hearing. *Member Brian Eades moved to forward a positive recommendation to change the zone from R-4 to MH for the property at 225 East 500 North. Ryan Pugh seconded the motion. The motion passed with members Eades, Pugh, Lytle and Mills voting in favor. Chair*

Brandon Parker abstained.

PUBLIC HEARING: PATSY AND LEROY ARGUELLO STORAGE CONTAINER CONDITIONAL USE REQUEST 55 EAST MAIN, VERNAL, UTAH – 2023-003-CUP:

Gabby Blackburn explained that storage containers are allowed in the central commercial zone if they are screened or buried. The owner of Plaza Mexicana is requesting to paint the container instead, which requires a conditional use permit and is an administrative decision. The unit cannot be rented out and cannot occupy parking that is required. Most portable storage containers have a wall to shield them from outside view. Gabby Blackburn displayed a rendition of the downtown revitalization plan for this block noting that the plan has a pedestrian boulevard where this container is being placed. City code requires the container to be painted if there is a unique circumstance, and the painting does not have to be approved if there is a better way to obscure it. Chair Brandon Parker clarified this is a Vernal City parking lot. Gabby Blackburn stated it is right next to it and the building takes up the entirety of the parcel. Member Randall Mills asked what about other businesses there. Gabby Blackburn stated other businesses can apply to put a container there. Member Ryan Pugh asked the size of the container. Gabby Blackburn stated she did not know. Member Brian Eames asked if the surrounding owners have been notified for input. Gabby Blackburn answered yes within 300 feet. Chair Brandon Parker opened the public hearing.

Adolpho Ozaeta, contractor representing the owner, explained the container will be 8' x 20' on the corner next to the building. The restaurant is small and he needs a place for dry foods. The paint will blend in with the building and he is hoping to purchase the building to the west to expand so it is not known if this will be temporary. Member Brian Eades asked if fencing is possible. Adolpho Ozaeta stated there is no room for a fence and the container will be eight feet tall and the fence will only be six feet. Member Ryan Pugh asked if this will block the egress? Adolpho answered no, and they did measure it. Gabby Blackburn stated the concern is will the container be repainted to keep it in good shape. Adolfo Ozaeta answered they will take care of it and want to place a dinosaur on top of it if possible. There being no further public comments Chair Brandon Parker closed the public hearing. *Member Ryan Pugh moved to approve the CUP to paint the storage container instead of fencing it with the stipulation that the paint be retouch regularly and it be checked yearly. Member Brian Eades seconded the motion. The motion passed with members Pugh, Eades, Mills, Lytle and Parker voting in favor.*

RECOMMENDATION TO CONSIDER AMENDING THE VERNAL CITY MUNICIPAL PLANNING AND ZONING CODE TO CONSIDER CHANGES TO THE CODES REGULATING R-4 PARKING, SECTION 16.27.070 MINIMUM AREA REQUIREMENTS, AND SECTION 16.26.120 PARKING SPACE REQUIREMENTS – ORDINANCE 2023-02:

Gabby Blackburn reminded the Commission that this code discussion started in November of last year and there were a few revisions recommended to the City Council. The last recommendation was to reduce the required parking spaces to two and the landscaping down to 25%. Some calculations were done and showed to the City Council and they asked the Planning Commission to review those calculations. The current code requires two parking spaces for every dwelling unit up to 9 then one additional for visitor parking. The

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City residents have more vehicles as there is no public transit. Also, if less parking there may be more units and people need some type of outdoor space. She noted that garages add to the parking amount. Another option for new developments is why does nine units trigger visitor parking when the standard is four units. Four units or less is considered a minor subdivision and is easier to get standard mortgages. If over four units it is considered a commercial endeavor. She suggested changing the code to require visitor parking requirements if over four units. The landscaping can be any percentage, however, urban areas have no greenery. The City code does allow a developer to add the setback area to the landscaping requirement. The initial proposal was to drop the landscaping down to 20% and the last recommendation was 25%. She suggested going to 28%. Chair Brandon Parker stated the community should not be based on minimum requirements with less open spaces. The parking should remain the same and extra parking triggered with more than four units. After further discussion, *Member Brian Eades moved to recommend the landscaping be lowered to 25%. The motion died for lack of a second.*

Member Stephen Lytle moved to recommend the landscaping requirement for the R-4 zone be changed to 28% since it include setbacks. Member Brian Eades seconded the motion. The motion passed with Members Lytle, Eades, Parker, Mills and Pugh voting in favor.

After discussion, *Member Brian Eades moved to recommend the parking in the R-4 zone be two units for up to four units then 2.5 units for units over four. Member Ryan Pugh seconded the motion. The motion passed with Members Eades, Pugh, parker, Milles and Lytle voting in favor.*

APPROVAL OF UPCOMING MEETINGS SCHEDULE: Gabby Blackburn stated that the current meeting schedule is the second Tuesday at 7 pm. The Board and staff are asking for a different time. After discussion, *Member Randall Mills moved to change the time to 6 pm. Member Brian Eades seconded the motion. The motion passed with Members Mills, Eades, Pugh, Parker and Lytle voting in favor.*

ADJOURN: There being no further business, *Member Brian Eades moved to adjourn. Ryan Pugh seconded the motion. The motion passed with a unanimous vote, and the meeting was adjourned.*

Brandon Parker , Planning Commission Chair